

Frankly, right now we have wasted months and months through this process where we could have had the very best person available focus on the international competitiveness of the United States, and I think our constituents demand it.

Mr. KERRY. Mr. President, I urge my colleagues to support the nomination of Dr. Lael Brainard to be Under Secretary of the Treasury for International Affairs. This is a vital role and it is important that we fill this position during this time of immense global challenges. The filling of this position is long overdue. Dr. Brainard is highly qualified and we are fortunate that a candidate of her quality is willing to serve.

The Under Secretary for International Affairs is critical to the administration's efforts to engage China on economic issues, stabilize the global economy following the financial crisis, expand export opportunities, and pursue reforms and effective U.S. investments in the multilateral development banks.

Dr. Brainard attended Wesleyan University before receiving a Master's and Doctorate in Economics from Harvard University. She is the recipient of a White House Fellowship and Council on Foreign Relations Fellowship. During the Clinton administration, Dr. Brainard served as Deputy National Economic Adviser and chair of the Deputy Secretaries Committee on International Economics. Prior to joining the Clinton administration, she was an associate professor at the MIT Sloan School. She currently serves as vice president and founding director of the Global Economy and Development Program at the Brookings Institution.

During her tenure with the Clinton administration, Dr. Brainard faced global economic challenges, including the Asian finance crisis, the Mexican financial crisis, and China's entry to the World Trade Organization. She helped shape the 2000 G8 Development Summit that for the first time included leaders of the poorest nations and laid foundations for the Global Fund to fight AIDS, TB, and malaria.

Over the years, Dr. Brainard has written extensively on international economic issues. In recent years, she has focused on the links between U.S. competitiveness and climate change policy. As we address climate changes issues, it will be helpful to have someone with her knowledge as part of our team.

President Obama nominated Dr. Brainard back in March and I appreciate her patience with the process. I look forward to working with Dr. Brainard to address the international economic challenges that we face.

Mr. LEAHY. Mr. President, the majority leader has taken a significant step to address the crisis created by Senate Republican obstruction of President Obama's highly qualified nominations and the Senate's advice and consent responsibilities. Regret-

tably, Republican obstruction has made it necessary for the majority leader to file cloture to bring an end to Republican filibusters and allow the Senate to consider at least some of the long-stalled nominations languishing on the Senate's Executive Calendar.

In a dramatic departure from the Senate's traditional practice of prompt and routine consideration of non-controversial nominations, Senate Republicans have refused for month after month to join agreements to consider, debate and vote on nominations. Their practices have obstructed Senate action and led to the backlog of over 80 nominations now stalled before the Senate, awaiting final action. The American people should understand that these are all nominations favorably reported by the committees of jurisdiction. Most are nominations that were reported without opposition or with a small minority of negative votes. Regrettably, this has been an ongoing Republican strategy and practice during President Obama's presidency.

Twenty-five of those stalled nominations are to fill vacancies in the Federal courts. They have been waiting for Senate action since being favorably reported by the Senate Judiciary Committee as long ago as last November. Those 25 judicial nominations are more than the 18 Federal circuit and district court nominees that Republicans have allowed the Senate to consider and act upon during President Obama's administration.

To put this in perspective, by this date during George W. Bush's Presidency, the Senate had confirmed 45 Federal circuit and district court judges. President Obama began sending the Senate judicial nominations 2 months earlier than President Bush did, and still only 18 Federal circuit and district court confirmations have been allowed. If we had acted on the additional 25 judicial nominations reported favorably by the Senate Judiciary Committee but on which Senate Republicans are preventing Senate action, we would have made comparable progress. As it stands we are 60 percent behind what we achieved by this time in President Bush's first term.

Republicans continue to stand in the way of these nominations, despite vacancies that have skyrocketed to over 100, more than 40 of which are "judicial emergencies." Caseloads and backlogs continue to grow while vacancies are left open longer and longer. On this date in President Bush's first term, the Senate had confirmed 45 Federal district and circuit court judges; there were just 7 judicial nominations on the calendar, and all 7 were confirmed within 12 days. That was normal order for the Democratic Senate majority considering President Bush's nominations. Circuit court nominations by this date in his first term waited an average of less than a week to be confirmed. By contrast, currently stalled by Senate Republicans are circuit

court nominees reported back in November and December of last year. The seven circuit court nominees the Senate has been allowed to consider so far have waited an average of 124 days reported to be considered and confirmed after being favorably—more than 4 months compared to less than 1 week for President Bush's nominees—and those delays are increasing.

In the 17 months in 2001 and 2002 that I chaired the Judiciary Committee, the Senate confirmed 100 of President Bush's judicial nominations. In stark contrast, to date, the Senate has only been allowed to act on 18 circuit and district court nominations. Twenty-two of the 25 nominations pending on the calendar have been pending for more than a month. Eighteen were reported by the Judiciary Committee without dissent—without a single negative vote from any Republican member. Still they wait.

Republican obstruction has the Senate on a sorry pace to confirm fewer than 30 judicial nominees during this Congress. Last year, only 12 circuit and district court judges were confirmed. The lowest total in more than 50 years. We have to do far more to address this growing crisis of unfilled judicial vacancies.

It has been almost 5 months since I began publicly urging the Senate Republican leadership to abandon its strategy of obstruction and delay of the President's judicial nominees. But we have not considered a judicial nomination since March 17, when we finally confirmed the nomination of Rogerie Thompson of Rhode Island to the First Circuit. Even though Judge Thompson had two decades of experience on her State's courts, and her nomination was reported by the Senate Judiciary Committee without a single dissenting vote, it stalled on the Senate Executive Calendar for nearly 2 months before she was unanimously confirmed, 98-0. There was no reason or explanation given by Senate Republicans for their unwillingness to proceed earlier.

Before that vote, the majority leader was required to file cloture on the nomination of Barbara Keenan of Virginia to the Fourth Circuit. Judge Keenan's nomination was stalled for 4 months. After the time consuming process of cloture, her nomination was approved 99 to zero. There was no reason or explanation given by Senate Republicans for their unwillingness to proceed earlier or for the filibuster of that nominee either.

Similarly, there has yet to be an explanation for why the majority leader was required to file cloture to consider the nominations of Judge Thomas Vanaskie to the Third Circuit and Judge Denny Chin to the Second Circuit, both widely respected, long-serving district court judges. Judge Vanaskie has served for more than 15 years on the Middle District of Pennsylvania, and Judge Chin has served for 16 years on the Southern District of New York. Both nominees have mainstream records, and both were reported